IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

APPEAL NO. 840 OF 2006
IN
NOTICE OF MOTION NO. 1456 OF 2005
IN
SUIT NO. 3299 OF 2003

1. Haji Ismail Haji Habib & 5 ors.] .. Appellants (Ori.Plaintiffs)

Versus

1. Yusuf Saleh Mohammad & 35 ors.] .. Respondents (Ori.Defendants)

Ms. J.A. Sarkhot i/b R.V. Govilkar for the appellants.

CORAM: R.M. LODHA, &
S.A. BOBDE, JJ.

DATED: 28TH NOVEMBER, 2006

P.C. :

. Heard Ms. J.A. Sarkhot, the counsel for the appellants.

2. Though the counsel for the appellants submitted that the Court Receiver has taken physical possession of Room No.2, we find that the learned Motion Judge has recorded specific finding that the Court Receiver has not taken physical possession of the subject room. In view thereof, obviously the possession

of the Court Receiver has to be treated as symbolic only.

3. With that clarification, the impugned order does not call for any interference.

4. Appeal is dismissed in limine.

Sd/-
[R.M. LODHA, J.]

Sd/-
[S.A. BOBDE, J.]